IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 568 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE R.K.ABICHANDANI
and
Hon'ble MR.JUSTICE A.L.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

CHEMICAL CORPORAION

Versus

MIRABEN PRAFULBHAI CONTRACTOR

Appearance:

1. First Appeal No. 568 of 2003

MR K.S. NANAVATI, Senior Counsel Appearing
for NANAVATI ASSOCIATES for PetitionerS No. 1-5
MR PK JANI, Advocate for Respondent No. 1

CORAM : MR.JUSTICE R.K.ABICHANDANI
and
MR.JUSTICE A.L.DAVE

Date of decision: 21/03/2003

ORAL JUDGEMENT

(Per : MR.JUSTICE R.K.ABICHANDANI)

1. Admit.

2. Mr. P.K. Jani waives service of notice on behalf of the respondent. At the request of the learned Senior Counsel for the appellants and the learned counsel for the respondent, the matter is taken up for final disposal.

2. Both the learned counsel state before us that the final decree, which is challenged in this appeal, may be confirmed, subject to the modification that the interest awarded at the rate of 12 per cent per annum from the date of the suit till final decree should be reduced to 9 per cent per annum. We, accordingly, while confirming the final decree, direct that the words "interest @ 12% p.a." shall stand substituted by the words "interest @ 9% p.a.". Rest of the order and final decree stand confirmed. The appeal stands disposed of accordingly, with no order as to costs.

[R.K. ABICHANDANI,J.]

[A. L. DAVE, J.]

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